

1 SENATE BILL 20

2 **48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

3 INTRODUCED BY

4 Steve Komadina

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10 AN ACT

11 RELATING TO PROFESSIONAL AND OCCUPATIONAL LICENSES; CHANGING
12 THE LICENSED PHYSICIAN AND OSTEOPATHIC PHYSICIAN SUPERVISION
13 REQUIREMENTS; AMENDING THE PHYSICIAN ASSISTANT ACT AND THE
14 OSTEOPATHIC PHYSICIANS' ASSISTANTS ACT.

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 Section 1. Section 61-6-10 NMSA 1978 (being Laws 1973,
18 Chapter 361, Section 6, as amended) is amended to read:

19 "61-6-10. SUPERVISING LICENSED PHYSICIAN--
20 RESPONSIBILITY.--

21 A. As a condition of licensure, all physician
22 assistants practicing in New Mexico shall inform the board of
23 the name of the licensed physician under whose supervision they
24 will practice. All supervising physicians shall be licensed
25 under the Medical Practice Act and shall be approved by the

.164138.1

underscored material = new
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underscored material = new
[bracketed material] = delete

1 board.

2 B. Every licensed physician supervising a licensed
3 physician assistant shall be individually responsible and
4 liable for the performance of the acts and omissions delegated
5 to the physician assistant. Nothing in this section shall be
6 construed to relieve the physician assistant of responsibility
7 and liability for the acts and omissions of the physician
8 assistant.

9 ~~[C. A licensed physician shall not supervise more
10 than two physician assistants; except, where a physician is
11 working in a health facility providing health service to the
12 public primarily on a free or reduced fee basis, that is funded
13 in whole or in part out of public funds or the funds of private
14 charitable institutions or for good cause shown, the board may
15 authorize a greater number upon a finding that the program
16 provides adequate supervision of the physician assistants.]~~

17 C. A physician assistant shall be supervised by a
18 physician as approved by the board."

19 Section 2. Section 61-10A-7 NMSA 1978 (being Laws 1979,
20 Chapter 26, Section 7) is amended to read:

21 "61-10A-7. RESPONSIBILITY.--Every osteopathic physician
22 using, supervising or employing a registered osteopathic
23 physician's assistant shall be individually responsible and
24 liable for the performance of the acts and omissions delegated
25 to the osteopathic physician's assistant. Nothing [herein] in

.164138.1

underscored material = new
~~[bracketed material]~~ = delete

1 the Osteopathic Physicians' Assistants Act shall be construed
2 to relieve the osteopathic physician's assistant of ~~[any]~~
3 responsibility and liability for any of ~~[his]~~ the osteopathic
4 physician's assistant's own acts and omissions. ~~[No osteopathic~~
5 ~~physician may have under his supervision more than two~~
6 ~~currently registered osteopathic physicians' assistants, except~~
7 ~~where an osteopathic physician is working in a health facility~~
8 ~~providing health service to the public primarily on a free or~~
9 ~~reduced fee basis, which is funded in whole or in part out of~~
10 ~~public funds or the funds of private charitable institutions;~~
11 ~~the board may authorize a greater number upon a finding that~~
12 ~~the program provides adequate supervision of the osteopathic~~
13 ~~physicians' assistants.]~~ An osteopathic physician's assistant
14 shall be supervised by an osteopathic physician as approved by
15 the board."

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